

**TOWN OF DAVIE
REGULAR MEETING
JULY 30, 2014**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:28 p.m. and was followed by the Pledge of Allegiance.

II. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Hattan and Councilmembers Caletka, Luis and Starkey. Also present were Town Administrator Lemack, Town Attorney Rayson and Town Clerk Roig recording the meeting.

III. OPEN PUBLIC MEETING

Barbara Tilley described the management of the Park City Estates Mobile Home Park and stated the residents were citizens of Davie who paid taxes like other residents. Ms. Tilley said the Town had promised to paint white lines at intersections months ago but this had not been done yet. She said they did not want speed bumps installed for safety reasons.

IV. PRESENTATIONS

1. Police Traffic Unit Recognition - Chief Patrick Lynn

Chief Lynn, Assistant Chief Dunn and Captain Moore recognized members of the Traffic unit. Chief Lynn stated the Town's Traffic Unit had been ranked first in the Florida Law Enforcement Challenge by the Florida Department of Transportation.

Mayor Paul announced the petitioners had requested items 36 and 37 be tabled to August 19.

Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to table items 36 and 37 to August 19. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul announced the petitioners had requested items 41, 47 and 48 be tabled to August 19.

Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to table items 41, 47 and 48 to August 19. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 5, 33 and 35 from the Consent Agenda. Councilmember Caletka pulled item 7.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve the Consent Agenda, less items 5, 7, 33 and 35. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Minutes

1. May 21, 2014 Meeting Minutes (Regular)
2. June 11, 2014 Meeting Minutes (First Budget Workshop)
3. June 11, 2014 Meeting Minutes (Regular)
4. July 17, 2014 Meeting Minutes (Special)

Resolutions

Administration

5. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, IN SUPPORT OF THE CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY AND PROVIDING FOR AN EFFECTIVE DATE.

Budget and Finance

6. **PROPOSED MILLAGE RATES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATES TO BE LEVIED FOR OPERATING PURPOSES AND FOR VOTED DEBT SERVICE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015.
7. **FIRE PROTECTION ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
8. **SOLID WASTE ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Fire Department

9. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING BIDS FOR FIRST AID MEDICAL SUPPLIES AND EQUIPMENT AND TO PROVIDE FOR AN EFFECTIVE DATE (Funding will be from First Aid Supplies and Equipment account 001.06.118.526-55203 - \$140,000).
10. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT, IF AWARDED (UP TO \$12,972) FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY CITIZEN CORPS/CERT SUBGRANT PROGRAM TO PURCHASE EQUIPMENT FOR THE DAVIE FIRE RESCUE EXPLORERS PROGRAM, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE, IF AWARDED.
11. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2014 UNITED STATES DEPARTMENT OF HOMELAND SECURITY CITIZEN CORPS/CERT SUBGRANT PROGRAM (UP TO \$12,999) TO PURCHASE EQUIPMENT FOR THE DAVIE COMMUNITY EMERGENCY RESPONSE TEAM, IF AWARDED, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Housing and Community Development

12. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT (UP TO \$150,000) FROM THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT RESIDENTIAL RETROFIT PROGRAM ALSO KNOWN AS THE RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM, IF AWARDED, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
13. **GRANT** - A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN FOR FY 2014/15 WHICH INCLUDES THE CDBG PROGRAM BUDGET; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY CERTIFICATIONS AND GRANT RELATED DOCUMENTS; AUTHORIZING MINOR, NON-SUBSTANTIVE CHANGES TO THE ACTION PLAN DOCUMENTS WHICH MAY BE IDENTIFIED DURING THE REVIEW AND APPROVAL PROCESS WHICH DO NOT SIGNIFICANTLY AFFECT THE PURPOSE, SCOPE, BUDGET, OR INTENT OF THE ACTION PLAN AND AUTHORIZING SUBMISSION OF THE ACTION PLAN TO BROWARD COUNTY AND HUD; AND PROVIDE FOR AN EFFECTIVE DATE.

Parks, Recreation, & Cultural Arts

14. **ROBBINS LODGE RENTAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING APPROVAL OF THE SERVING OF BEER, WINE AND CHAMPAGNE DURING RENTAL AGREEMENTS AT ROBBINS LODGE AND AUTHORIZING TOWN OFFICIALS TO EXECUTE SUCH RENTAL AGREEMENTS.
15. **AGREEMENT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE AUTHORIZING THE MAYOR TO EXECUTE A FIVE (5) YEAR AGREEMENT EXTENSION WITH TSS PHOTOGRAPHY (DBA) THE SPORTS SECTION OF SOUTH FLORIDA.

Police

16. **SRO TWO MONTH AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A TWO (2) MONTH AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE TO PROVIDE SEVEN (7) SCHOOL RESOURCE OFFICERS (SRO) AT TWELVE (12) BROWARD COUNTY PUBLIC SCHOOLS; SEVEN ELEMENTARY (7) AND FIVE (5) SECONDARY SCHOOLS WITHIN THE TOWN OF DAVIE.
17. **SRO TEN MONTH AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A TEN (10) MONTH AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE TO PROVIDE SEVEN (7) SCHOOL RESOURCE OFFICERS AT TWELVE (12) BROWARD COUNTY PUBLIC SCHOOLS; SEVEN ELEMENTARY (7) AND FIVE (5) SECONDARY SCHOOLS WITHIN THE TOWN OF DAVIE.

18. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION FOR A \$133,095.00 GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE IMPLEMENTATION OF A DRIVING UNDER THE INFLUENCE ENFORCEMENT AND AWARENESS CAMPAIGN AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A GRANT AGREEMENT, IF AWARDED.
19. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A CONTRACT EXTENSION BETWEEN THE DAVIE POLICE DEPARTMENT AND WARREN & ASSOCIATES FOR VERBATIM TRANSCRIPTION SERVICES FOR THE POLICE DEPARTMENT.

Public Works

20. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE CONTRACT EXTENSION AWARDED BY BROWARD COUNTY AND AUTHORIZING THE TOWN OF DAVIE TO PIGGY-BACK OFF THIS CONTRACT WITH BERGERON EMERGENCY SERVICES, INC. TO PROVIDE DISASTER DEBRIS MANAGEMENT SERVICES IN THE EVENT OF A DECLARED EMERGENCY, AND PROVIDING FOR AN EFFECTIVE DATE.
21. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO PURCHASE A NEW TORO GROUNDMASTER FOR \$26,455.51 FROM TESCO SOUTH, INC. DBA HECTOR TURF BY PIGGY-BACKING FROM THE NATIONAL IPA CONTRACT AND PROVIDING FOR AN EFFECTIVE DATE.

TIMS

22. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE PURCHASE OF STORAGE AREA NETWORK SERVERS FROM DELL MARKETING L.P. ON STATE OF FLORIDA CONTRACT # 250-000-09-1.

Town Attorney

23. **WARRANTY DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM BCF LLC AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

24. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING RENEWAL OF THE BID AWARDED TO KEMIRA WATER SOLUTIONS, INC. FOR A DISSOLVED SULFIDE REDUCTION AND ODOR CONTROL SYSTEM FOR THE UTILITIES DEPARTMENT.
25. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDED THE BID FOR CHEMICAL REAGENTS (BID #14-57) TO PROFESSIONAL ENVIRONMENTAL TESTING & CONSULTING LLC AND ENVIRONMENTAL REAGENT SERVICE.

26. **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, GRANTING A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY OVER A PORTION OF LOTS 590, 591 AND 592, BLOCK J, PLAYLAND VILLAGE SEC. 4.
27. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CONSULTANT CHANGE ORDER #1 FOR CALVIN, GIORDANO & ASSOCIATES, INC. FOR THE LIFT STATION #20 REHABILITATION PROJECT (6101 SW 36 COURT).

Quasi-Judicial Consent Items

Temporary Use Permit

28. **TU 14-163, Recovery Institute of South Florida**, 5540 Davie Road (CF).
29. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "BANK OF AMERICA, WEST STIRLING," AND PROVIDING AN EFFECTIVE DATE, DG14-166, **Bank of America** - West Stirling (6300 West Stirling Road).
30. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE PLAT KNOWN AS "ZARBAFI ESTATES," AND PROVIDING AN EFFECTIVE DATE (DG14-089, **Pine Island Estates**, S.W. 51st Street, east of South Pine Island Road).
31. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "DARGEL PLAT" AND PROVIDING AN EFFECTIVE DATE DG14-117, **Flagler Construction**, (5210 Reese Road).
32. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "DAVIE CAMPUS PLAT," AND PROVIDING AN EFFECTIVE DATE. DG14-120, **David Posnack Jewish Day School**, 5810 South Pine Island Road.
33. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO A DEVELOPER'S AGREEMENT WITH THE CAMELOT OF DAVIE HOMEOWNERS' ASSOCIATION; CONCERNING THE DUTIES AND RESPONSIBILITIES ASSOCIATED WITH THE INSTALLATION AND MAINTENANCE OF RESIDENTIAL DEVELOPMENT SIGNS WITHIN TOWN RIGHT-OF-WAY; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
34. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "BRIDGE POINT DAVIE" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S

SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 14-43, **Bridge Point Davie**, M-3 zoning proposed). **See related items #35, 42, & 43)**

35. **SITE PLAN - SP 14-46 Bridge Point Davie** (3501 Burris Road, M-3 proposed). **See related items #34, 42 & 43)**

PETITIONER REQUESTING TABLING OF ITEMS TO AUGUST 19, 2014

36. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING DELEGATION APPLICATION “DG 13-004 SIERRA RANCH” TO AMEND THE NON-VEHICULAR ACCESS LINE (NVAL) OPENING ON THE PLAT KNOWN AS “SIERRA ESTATES”, AND PROVIDING AN EFFECTIVE DATE. DG 13-004 Sierra Estates, 1900 Hiatus Road (A-1). (See related items #37 & 48)**

37. **SITE PLAN - (SP) 13-005, Sierra Ranch, 1900 Hiatus Road (A-1). (See related items #36 & 48)**

VI. DISCUSSION OF CONSENT AGENDA ITEMS

5. SUPPORT - THE CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY

Robin Bartleman, Broward County School Board member, thanked Council for their support. Councilmember Starkey made a motion, seconded by Councilmember Luis to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

7. FIRE PROTECTION ASSESSMENT

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a voice vote, with Councilmember Caletka dissenting, all voted in favor. (Motion carried 4-1)

33. DEVELOPER'S AGREEMENT - CAMELOT OF DAVIE HOMEOWNERS' ASSOCIATION

Jason Wilson, representing the developer, described the request for the sale signs. He said they had held public participation meetings regarding the signs and reported the signs posed no problems regarding sight triangles.

Mayor Paul was concerned about the signs' proximity to a park on Orange Drive and did not want to set this precedent. Councilmember Starkey agreed, and thought the signs would affect drivers' visibility.

Councilmember Caletka made a motion, seconded by Mayor Paul to deny. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka -yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

35. SITE PLAN - S P 14-46 Bridge Point Davie

Mayor Paul asked the petitioner to contribute \$10,000 toward a traffic study for Oaks Road traffic calming and the petitioner agreed to provide this prior to the building permit.

Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to approve, with the addition of the \$10,000 contribution to the Oaks Road study, to be provided prior to a permit being issued. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

VII. PUBLIC HEARING

Quasi-Judicial Public Hearing Items

43. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-49 **BRIDGE POINT AT DAVIE**", AND PROVIDING AN EFFECTIVE DATE. (See related items #34, 35, & 42)

Mr. Rayson read the resolution by title.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

Ordinance - First Reading/Quasi-Judicial Item (Second and Final Reading to be held on August 6, 2014)

42. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 14-47 BRIDGE POINT DAVIE, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: "GENERAL INDUSTRIAL (M-3 COUNTY) DISTRICT" TO "PLANNED INDUSTRIAL PARK (M-3) DISTRICT"; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 14-47 **Bridge Point Davie**, 3501 Burris Road). See related items #34, 35, & 43)

Mr. Rayson read the ordinance by title. He stated all parties had waived the quasi-judicial process. Mayor Paul announced a public hearing on the item would be held on August 6, 2014.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

44. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-107 FERNANDEZ", AND PROVIDING AN EFFECTIVE DATE. (V 14-107 **Fernandez**, 12483 Grand Oaks Drive, zoned R-1).

Mr. Rayson read the resolution by title.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Planning and Zoning Manager David Quigley provided a staff report.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

Ordinance - (Second and Final Reading)

39. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 12-276, PARKWAY CHRISTIAN CHURCH AND SCHOOL, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: "AGRICULTURAL (AG) DISTRICT" AND "RESIDENTIAL LOW MEDIUM DWELLING (R-5) DISTRICT" TO "COMMUNITY FACILITIES (CF)

DISTRICT;” AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-276 Parkway Christian Church and School, South Flamingo Road, north of Southwest 14th Street). **{Approved on first reading on June 11, 2014. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Hattan - absent; Councilmember Luis - yes; Councilmember Caletka - yes; Councilmember Starkey - yes. (Motion carried 4-0)}**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

45. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-123 LANGSTON," AND PROVIDING FOR AN EFFECTIVE DATE (V 14-123, **Langston, 2881 Southwest 82nd Way, zoned R-3).**

Mr. Rayson read the resolution by title. He stated all parties had waived the quasi-judicial process.

Planning and Zoning Manager David Quigley provided a staff report.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

Ordinance - First Reading (Second and Final Reading to be held on August 6, 2014)

46. LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE APPLICATION “LA 13-202 VIRGINIA PLANTATION”, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 1 DU/AC" TO “IRREGULAR 2.5 DU/AC RESIDENTIAL”; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Land Use Plan Amendment (LA) 13-202 **Virginia Plantation, 5306 Southwest 76th Avenue (A-1). **(Requires super-majority vote)****

Mr. Rayson read the ordinance by title.

Planning and Zoning Manager David Quigley provided a staff report.

Marcie Nolan, representing the applicant, gave a presentation describing the request. She also distributed letters of support. Ms. Nolan said they were willing to deed restrict the land to a total of 62 single-family homes and there would be no access to or from SW 73 Avenue. They had no plans to widen SW 76 Avenue. Ms. Nolan pointed out this was not a multi-family development.

Steve Gravit, CEO of Kennedy Homes, said this was the lowest density development they had worked on and he was surprised at the response. He remarked that most people who had signed the petition (opposing the plan) lived in subdivisions that were higher density than the proposed development. Mr. Gravit suggested “to stop the madness” an overlay district could be created in the area with input from staff, citizens and developers.

Ms. Nolan said they had held two public participation meetings and heard concerns about the

project's possible impact on: traffic, the equestrian community, agricultural uses, density and rural lifestyle. They had responded to these concerns by: reducing density to 2.5 units per acre, with a total of 62 units; designing a buffer for SW 76 Avenue; building a greenway with a dedicated equestrian path on the west side of SE 76 Avenue; designing buffers, fences and walls next to adjacent agricultural uses and siting a lake adjacent to a neighbor's property instead of in the middle of the development. Ms. Nolan displayed an updated site plan reflecting these changes.

Ms. Nolan acknowledged that the site plan had not been reviewed for code compliance and they would continue to work with staff until the plan was adopted. She described the lengthy approvals process for the proposal. Ms. Nolan showed aerial photos taken over time and explained how the uses and land use plan had changed.

Jay Evans described how they would address drainage issues for the project and comply with all requirements from the Town and the County.

Cathy Sweetapple, transportation consultant, explained the traffic impact of the project, which would add 70 peak hour trips for 62 units.

Ms. Nolan stated compatibility was the most important issue regarding the change in land use. She described the density of nearby developments. Ms. Nolan explained how the project did the following: met the County and Town's existing Comprehensive Plan requirements; represented managed growth at a low density along a designated scenic corridor; met and exceeded the Town's Rural Lifestyle regulations and were compatible with surrounding uses.

Mayor Paul opened the public hearing portion of the meeting.

Nick DeBlasio, resident, said the land use plan had been developed many years ago and was difficult to change specifically to prevent private development acting for additional profit. He reminded Council that the Town's Planning and Zoning Board had voted against the proposal and asked Council to vote likewise.

Andy O'Boyle, resident, stated he was a realtor and opined that if the land remained zoned for one unit per acre, the houses would take longer to sell. This rezoning would allow the homes to sell faster and increase in value, and would provide additional taxes for the Town. He asked Council to consider allowing the rezoning.

Lynn Lafferty asked Council to vote against the proposed development. She said she had purchased a home in Davie because the zoning was one unit per acre.

Raphael Santiago, adjacent property owner, produced a petition with 1,479 signatures opposing the land use change. He stated the developer had cited four policies of the Comprehensive Plan to support their case but noted there were 15 policies that mitigated against their case. Mr. Santiago said maintaining agriculture and open spaces with the regulations currently in place would allow the Town to keep its rural character and integrity.

Natalie Osterhoudt, adjacent property owner, described her love of nature and her dismay that the Town had grown and lost its original character. She asked Council to help retain the remaining rural character of the Town by voting against the request.

Robert Kellner, resident, said his development was lower density than Mr. Gravit had stated. He said he objected to this development mainly because of the traffic impact on SW 76 Avenue.

Melissa Havens, Cooper City resident, said she objected to this project because she feared its effect on wildlife. She did not feel it was possible to estimate the additional traffic a development would cause.

Steve Post, resident, recalled that when he voted for the Open Space Bond, they had discussed making this property open space in the future. He was concerned about the increase in traffic the development might cause.

D. Fote, resident, expressed concern about the protected wildlife in the area and doubted the developer's statistics on school and traffic impacts.

Savannah Heathcoat, Hollywood resident, was concerned about the wildlife that currently lived in the pasture and the loss of open land.

Dante Fuentes, speaking on behalf of Virginia Lauderdale, said she could no longer maintain her property and had discussed the development with Kennedy Homes. He said Ms. Lauderdale wanted the developer to respond to public concerns about their proposal. Mr. Fuentes felt that keeping the zoning at one home per acre would make Davie unaffordable for most families.

Douglas Bell, resident, said the development sounded reasonable for the area and encouraged Council to vote in favor of it.

Douglas Young, President of the South Florida Audubon Society, stated they supported economic development and acted as stewards of the environment to preserve natural habitat. Mr. Young agreed with the Planning and Zoning Board's vote to oppose the zoning change.

Philip Busey, resident, discussed creeping urbanization and its effect on Davie's agricultural history. He said this development would open up infill and minimize the agricultural heartland of the Town. Mr. Busey asked Council to vote against the request.

Stanley Pannaman, Broward Sierra Club Conservation Chair, stated they opposed the request. He was concerned about the impact the development would have on the canal system and traffic issues.

Tom Truex, resident, asked Council to vote against the request. He feared that "every other developer that comes into Town" would request an increase in density in this area in the future. He said the Land Use Code was a "sacred covenant between the government and the residents" and should not be altered unless there was overwhelming consensus that it should be changed.

Tom Gill, resident, said he was in favor of the request and agreed with Mr. Fuentes regarding the affordability of homes in Davie.

Jen Bluth, resident, said her family supported the project; they did not feel it would significantly affect surrounding areas.

Rick Strain, resident, doubted the traffic estimates from the developer. He said this was not compatible with nearby development. Mr. Strain said the density would spread to other areas.

Arthur Pollio, resident, said he was in favor of this project because he felt it would save the area and wanted it to be a model for 70, 61 and 58 Avenues.

Gino Polesello, resident, described the difficulty he had experienced finding a home in Davie until they found a Kennedy Homes development they could afford. He said he was in favor of the request.

Conrad Barton, resident, was concerned about the square footage of the homes and wanted the zoning to remain one unit per acre.

Linda Greck, resident and member of the Open Space Advisory Committee, recalled that the Town had tried unsuccessfully to purchase some of this property with Open Space Bond funds to buffer Wolf Lake from future development. She said even one unit per acre development would dramatically affect the area, 76 Avenue specifically. Ms. Greck felt that the precedent had already been set for higher density development in this area. She asked Council to approve the request.

Kathy Cox, former Mayor of Davie, complimented the developer's efforts to address the needs and desires of the community. She described the difficulty of connecting the riding trail with coming development. The Town was no longer committed to building bridges between Griffin Road and the Canal to provide a safe crossing. Ms. Cox said she would hate to see the Town "gut the neighborhood and increase the density without having some kind of connector."

Ken DeArmas, resident and Planning and Zoning Board member, said Davie was the only place in Broward County with any land left for development. He acknowledged that Ms. Lauderdale had the right to sell her property, but he said there was no specific reason to change the land use. He asked Council to vote against the request.

Amy VanHeiss, resident, said she did not want a horse trail with a red light instead of the rural road near her home and asked Council to vote against the request.

Susan Capdeville, resident, said she was sad about the changes in Davie. She was most concerned with traffic issues on the neighborhood street. She did not agree with changing the density of the area.

Joseph Sperling, resident, said he opposed the request because he feared the impact on his farm. He thought the development would scare away animals and bring noise.

Samuel Sweezer, resident, asked Council to think about how the Town had changed and about how nature would be affected by the development.

Cynthia Schaefer, resident, distributed a list of people in attendance.

As no one else spoke, Mayor Paul closed the public hearing portion of the meeting.

Mayor Paul said moving fences back and keeping the right of way clear would provide easy passage for horses, so the trail was not a vital issue. She felt if the property were prepared properly, the wood storks would return.

Mayor Paul said false information had been distributed regarding the request. She added that the petition had been signed by people around the country who thought they were saving wolves. She said no one who lived outside of Davie had standing and it appeared the petition included a forgery, which caused her to doubt its validity. Mayor Paul explained that there would be a second reading on the request in a few months and Councilmembers could change their votes in that time.

Ms. Nolan said she had examined the Comprehensive Plan with a fine-toothed comb and addressed questions from staff regarding the policies. She explained that the entire County was considered wood stork habitat. She said the Florida Fish and Wildlife Conservation Commission would be brought in to analyze how the wood stork could best be preserved at the site. Ms. Nolan said the Broward County School Board adopted statistics on generation rates and their traffic statistics referred to trips at peak time. She stated they would have presented the plan and invited feedback from the Audubon and Sierra Clubs but they were not approached by them. She added they would comply with the Florida Friendly Landscape Ordinance Davie had adopted. Ms. Nolan said Land Use Plans were changed when there was need and/or there was a request that met the Town's intent for directed growth. The Comprehensive Plan had identified a need for single family homes and Kennedy Homes was trying to address this need with low density homes.

Councilmember Caletka said most building in Town now was for lower-income and affordable housing. He stated if this were turned down, it would be ten years before anyone wanted to develop the land because he believed it would only be considered for homes costing over \$1 million. He said in the future and it would be favorable to develop the land at the current use or in a compromise. He therefore opposed this request.

Councilmember Starkey discussed the missing links in the trail system. She felt the petition from Change.org had been misused. Councilmember Starkey hoped to reach a compromise for density on this land of "one point something."

Mr. Gravit said he had considered lower density but a realtor had cautioned him about building million dollar homes here. He thought they could reduce the total density to 1.8 units per acre for a total of 45-50 homes.

Councilmember Starkey said the proposed 76 Street trail that nearby stables could utilize was desirable and suggested moving the water body into an "L" shape. She said she would feel better if there were a buffer for the neighbors. She stated the reduced density Mr. Gravit mentioned sounded much better.

Mayor Paul said many residents with whom she had spoken had indicated that a density of less than 2 units per acre would be acceptable to them. Mr. Gravit said the water body could be put anywhere on the site and configured differently. Mayor Paul suggested an acre could be open space

reserved for a community farm and barn. Mr. Gravit stated this would be possible. Ms. Nolan agreed that reducing the density would provide them more latitude with the open space and flexibility with the site plan. Mr. Gravit said they could still assist with the 76 Avenue improvements. If the Central Broward Water Improvement District wished, they would improve drainage on 73 Avenue. Mayor Paul suggested that two-story homes be built on the interior of the property and the one-story homes be built on the perimeter. Mr. Gravit said if he agreed to this, he would need flexibility regarding lot sizes. Councilmember Starkey suggested larger lots could be located along the scenic corridor on 76 Avenue. Mr. Gravit stated wider lots along 76 Avenue would accomplish this as well. He acknowledged there were challenges, but said they were “up for the challenge.”

Councilmember Luis said he was finding it difficult to approve of this in this location.

Vice-Mayor Hattan felt there was a way to design the development to make it rural. She appreciated Mr. Gravit’s attempts to address residents’ concerns and said he should be given an opportunity.

Councilmember Caletka made a motion, seconded by Councilmember Luis to deny. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - no; Councilmember Starkey - no. (Motion passed 3-2)

Mr. Rayson explained that four votes (a super majority) were required for a motion on this item to pass. Council could reconsider their vote or table the item. He said the applicant had the right to come back with a new proposal.

Ms. Nolan thought the team could bring back a workable proposal, given they now had Council’s additional input.

Resolution

38. CIP AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE 10-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2014-2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the resolution by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Vice-Mayor Hattan made a motion, seconded by Mayor Paul to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

Ordinances - First Readings (Second and Final Readings to be held on August 6, 2014)

40. BUDGET AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2014; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title. Mayor Paul announced a public hearing on the ordinance would be held on August 6, 2014.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Vice-Mayor Hattan made a motion, seconded by Mayor Paul to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 5-0)

41. LAND USE AMENDMENT -AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING "LAND USE APPLICATION (LA) 14-009 SADDLE BRIDGE", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" TO "RESIDENTIAL 10 DU/ACRE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA14-009, **Saddle Bridge**, located on the south side of Griffin Road between 76th Avenue and 78th Avenue, zoned Griffin Corridor - University Drive Node) (**Requires super-majority vote**)

PETITIONERS REQUESTING TABLING OF ITEMS TO AUGUST 19, 2014

47. LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING "LAND USE APPLICATION (LA) 13-327 HORSESHOE LAKE (TROTTERS CHASE)", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" AND "RESIDENTIAL 3 DU/ACRE" TO "RECREATION AND OPEN SPACE" AND "RESIDENTIAL 10 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA 13-327 Horseshoe Lake (f/k/a **Trotters Chase**), 5800 Griffin Road and 4621 Southwest 58th Avenue, zoned Griffin Corridor District East Gateway Zone) (**Requires super-majority vote**)

48. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION (ZB) 13-022 SIERRA RANCH, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: AGRICULTURAL (A-1) DISTRICT TO: ESTATE DWELLING (R-1) DISTRICT AND LOW DENSITY DWELLING (R-2) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 13-022, **Sierra Estates**, 1900 Hiatus Road, currently zoned A-1). (**See related items #36 & 37**)

VIII. APPOINTMENTS

49. Committee/Board Vacancies and Appointments
Vice-Mayor Hattan appointed Jamie Okamp to the Site Plan Committee.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

None.

XI. NEW BUSINESS

50. Youth, Education, and Safety Advisory Committee - Mayor Paul

Mayor Paul reported the Committee wanted to regenerate themselves. She suggested monthly meetings to allow them to be proactive on school issues. She also wanted Human Resources to oversee the Committee. Mayor Paul wanted the Committee to resume the scholarship program and fundraising. She advised Councilmembers to keep in touch their appointees and make them aware of any suggestions.

XII. SCHEDULE OF NEXT MEETING

No discussion.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR PAUL

PRAY FOR PEACE. Mayor Paul wanted everyone to pray for peace. She also stated Israel had a right to defend itself.

ELECTION SIGNS. Mayor Paul wanted to be sure staff was checking to ensure that sign posters had put up bonds and advised them that signs in the right of way must be removed.

OAK HILL STORM. Mayor Paul thanked FPL for restoring power so quickly and the Police Department for handling a dangerous live-wire situation.

NATIONAL NIGHT OUT. Mayor Paul announced the National Night out was on Tuesday and there would be several events in Town.

THANKS TO PUBLIC WORKS. A resident had emailed Mayor Paul to thank Public Works for addressing an ADA issue at 136 and Shenandoah.

CARBON REDUCTION AGREEMENT. Mayor Paul asked Council's direction regarding her signing a carbon reduction agreement that would entail adopting and enforcing land use policy that would preserve open space and create compact, workable urban communities. Council agreed.

HAPPY BIRTHDAY. Mayor Paul announced Edith Lederberg would soon celebrate her 85th birthday.

HOPE FORUM. Mayor Paul reported there had been an article in the HOPE Forum regarding the Town's Fair House Poster Contest.

COUNCILMEMBER CALETKA

STATE ROAD 84. Councilmember Caletka mentioned a new "No Turn on Red" sign on State Road 84 eastbound toward Davie Road. He had asked a Town engineer to look into changing the sign to allow right turns on red lights from the far right lane only.

RESTAURANT DEPOT. Councilmember Caletka said people came from all over to visit Restaurant Depot and they were terrible drivers.

MEDICAL MARIJUANA. Councilmember Caletka said if there were a dispensary in Davie, terrible drivers would come from all over the County. He wanted Mr. Rayson to draft language for a zoning in progress to give them the chance to consider proper zoning or to deny this as a business use in Davie. He wished Davie to opt out of having any dispensaries.

VICE-MAYOR HATTAN

REAPPOINTMENTS. Vice-Mayor Hattan announced she had been reappointed to the Broward Cultural Council by the League of Cities and to the Homeless Initiative by the Homeless Advisory Board.

SWALES ON DAVIE ROAD FROM STIRLING ROAD TO UNIVERSITY DRIVE. Vice-Mayor Hattan thanked everyone involved in the recent cleanup.

MEDICAL MARIJUANA. Vice-Mayor Hattan said she and Mayor Paul had already been approached by people wishing to set up dispensaries in Town.

NEW FAU PRESIDENT. Vice-Mayor Hattan had recently met the new president of FAU.

COUNCILMEMBER LUIS

REFRESHMENTS DURING MEETINGS FOR ATTENDEES. Councilmember Luis said he would donate \$1,000 toward providing refreshments during Council meetings. Mr. Lemack said this

was a nice idea and he would work on it.

XIV. TOWN ADMINISTRATOR'S COMMENTS

BOND RATING. Mr. Lemack reported that Standard and Poors had increased the Town's bond rating from AA- to AA+, with a stable outlook due to their consistent financial performance and strong reserves; the Town's conservative budgeting and regular reporting of the General Fund performance; their multi-year financial projection and capital improvement plan and their formal reserve policy. He thanked Council for their guidance in maintaining this position.

TOWN'S MANAGERIAL AND GENERAL PENSION PLAN. Mr. Lemack said the Florida League of Cities had highlighted the Town for its comprehensive reform in 2013, which included changes to the multiplier, vested service and employee contributions. The Town's contribution to the pension plan was projected to decrease from 25% to less than 7.5% of payroll.

XV. TOWN ATTORNEY'S COMMENTS

No remarks.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 10:59 pm.

Approved_____

Mayor/Councilmember

Town Clerk